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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 9

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Bangladesh, China, Cuba, Egypt, Indonesia, Iran (Islamic Republic of)*, Malaysia, Nigeria*, Pakistan, Philippines and Sri Lanka: draft resolution

1997/... Rationalization of the work of the special procedures system

The Commission on Human Rights,

Guided by the purposes and principles and other relevant articles of the Charter of the United Nations and the Universal Declaration of Human Rights and the International Covenants of Human Rights,

Recalling that the Vienna Declaration and Programme of Action states that all human rights are universal, indivisible and interdependent and interrelated,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Also recalling that the Vienna Declaration and Programme of Action underlines the importance of preserving and strengthening the system of special procedures, rapporteurs, representatives, experts and working groups of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Welcoming the fact that the special procedures have held periodic meetings with the aim of exchanging views, harmonizing and rationalizing their work,

Emphasizing the principles of neutrality, non-selectivity and objectivity in the work of the special rapporteurs, representatives and working groups of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities and their sensitivity to national and regional diversities and various historical, cultural, religious and legal backgrounds,

Noting the work done through the special procedures system and its contribution to the promotion and protection of human rights,

Noting also the role assigned to the special procedures in the field of human rights and the need for follow up to their conclusions and recommendations,

Noting further the importance of all States' full cooperation with the special procedures,

1. Decides that the special rapporteurs, representatives and working groups of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, while carrying out their specific mandates, shall:

(i) Continue to work independently, with the greatest amount of discretion and in an objective and impartial fashion;

(ii) Continue to bear in mind that they derive their authority from the Commission on Human Rights and the Economic and Social Council;

(iii) Continue to ensure that the information on which they base their deliberations and reports is credible and reliable;

(iv) Seek a genuine and direct dialogue and cooperation with the concerned Government;

(v) During their visits, observe the human rights situation and assist the host Government in problem areas, the purpose of such visits being to gain first-hand information on situations and to discuss

with all concerned, including Governments and non-governmental organizations and all sectors of society, how to ensure respect for human rights, to and make recommendations thereon;

(vi) Continue to undertake such visits at the invitation of the host Government;

(vii) Continue to ensure in an objective and impartial fashion that urgent appeals are made for humanitarian reasons on the basis of the gravity of the situation, wherever such a situation occurs;

(viii) Refrain from giving media publicity to their findings until these have been considered and deliberated upon by the Commission;

(ix) Continue to harmonize and rationalize their work through periodic meetings to coordinate their activities for the promotion and protection of human rights;

(x) Organize the programme of visits of thematic procedures on the basis of comparative need for such visits and the relative urgency thereof, based on the gravity of the human rights situation.

2. Requests the High Commissioner for Human Rights to designate a focal point within the Centre for Human Rights to serve as a clearing house to rationalize the work of the special procedures system and to ensure that countries are not burdened with communications that deal with the same issue or incident;

3. Request the Chairman of the Commission, when appointing special rapporteurs, to continue to consult closely with regional groups and ensure that the appointee is of recognized standing in the field of human rights, has an overall knowledge of political, social and legal systems, is sensitive to different cultural, religious and ethnic particularities, and will accordingly implement his mandate independently, impartially and objectively;

4. Invites States to consider favourably requests by mandate holders to visit their country, to facilitate their meetings with persons and organizations that are relevant to the fulfilment of their mandates; to seek to undertake a genuine dialogue with the mandate holder; and to follow up on the recommendations of the mandate holder;

5. Decides to continue to seek ways and means to rationalize the functioning of the special procedures system and to review the implementation of the present resolution at its fifty-fourth session.

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